

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

THE SOUTH CAROLINA STATE
CONFERENCE OF THE NAACP,

and

TAIWAN SCOTT, on behalf of himself and all
other similarly situated persons,

Plaintiffs,

v.

THOMAS C. ALEXANDER, in his official
capacity as President of the Senate;
LUKE A. RANKIN, in his official capacity as
Chairman of the Senate Judiciary Committee;
JAMES H. LUCAS, in his official capacity as
Speaker of the House of Representatives;
CHRIS MURPHY, in his official capacity as
Chairman of the House of Representatives
Judiciary Committee; WALLACE H.
JORDAN, in his official capacity as Chairman
of the House of Representatives Elections Law
Subcommittee; HOWARD KNAPP, in his
official capacity as interim Executive Director
of the South Carolina State Election
Commission; JOHN WELLS, Chair,
JOANNE DAY, CLIFFORD J. ELDER,
LINDA MCCALL, and SCOTT MOSELEY,
in their official capacities as members of the
South Carolina State Election Commission,

Defendants.

Case No. 3:21-cv-03302-MGL-TJH-RMG

THREE-JUDGE PANEL

**JOINT STIPULATION REGARDING
PLAINTIFFS' EXHIBIT 139**

WHEREAS Plaintiffs, The South Carolina State Conference of the NAACP and Taiwan
Scott, on behalf of himself and all other similarly situated persons, and all above-named

Defendants, by and through their undersigned counsel, hereby desire to enter into this stipulation concerning the use of a trial exhibit;

WHEREAS Plaintiffs and all Defendants above named may be collectively referred to herein as the “**Parties**”;

WHEREAS the above-captioned case, Civil Action No. 3:21-cv-03302-MGL-TJH-RMG, may be referred to herein as the “**Action**”; and

WHEREAS the Parties met and conferred and reached an agreement regarding one exhibit for the purposes of avoiding unnecessary disputes that could arise throughout the course of the trial in this Action in order to streamline trial.

NOW, THEREFORE, IT IS on this 1st day of October, 2022, STIPULATED as follows:

1. Plaintiffs’ Exhibit Number 139 is an expert report prepared by Thomas L. Brunell, Ph.D., which is dated February 1, 2022.
2. In anticipation of litigation, House Defendants’ counsel retained Dr. Brunell in part to conduct a sample racially polarized voting analysis with respect to certain counties as the South Carolina House of Representatives prepared to redraw State House and Congressional District maps. After the filing of Plaintiffs’ initial Complaint, but prior to the filing of Plaintiffs’ Amended Complaint, Brunell conducted a preliminary racially polarized voting analysis with respect to a select number of counties for House Defendants’ counsel for the purposes of providing legal advice on the State House Districts. This preliminary analysis was not shared with any members of the General Assembly or staff. Some of those selected counties may overlap with the 25 counties included in Dr. Brunell’s expert report which was prepared for the State House portion of this litigation only.

3. Dr. Brunell was designated as an expert witness by the House Defendants in the State House District portion of this litigation and the expert report was prepared for the State House District portion of this litigation.
4. The Parties stipulate to the authenticity of and foundation for this exhibit under Federal Rules of Evidence 901 and 602.
5. The Parties agree that this exhibit is not being offered as an expert opinion in the Congressional District portion of this litigation.

Dated: October 1, 2022

Respectfully submitted,

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